

BARBARA MRZLAK BRUNDO, ED.D.  
9827 BLOOMFIELD DRIVE  
OMAHA, NE 68114  
402 393 1310  
Fax 402 393 5546  
educatering@cox.net

December 26, 2018

Amy Brunswick  
Courtroom Deputy  
United States Court  
District of Nebraska  
111 South 18<sup>th</sup> Plaza, Suite 1152  
Omaha, NE 68102-1322

FAX 402 661 7387

RE: Rule 3(d) of the Federal Rules of Appellate Copies  
Docket Sheet Copies

Dear Ms. Brunswick,

Thank you for your letter dated December 17, 2018, which answers my letter dated December 7, 2018, regarding copies of Notices of Appeal for U.S. Court of Appeals, Eighth Circuit Nos. 10-1712 and No 13-2205 and copies of Docket Sheets for the six cases noted:

8:08cv477; Brundo vs. Christ the King  
8:08cv209; Brundo vs. Nebr Catholic Conference  
8:10cv56; Brundo vs. Christ the King  
8:09cv213; Brundo vs. Christ the King  
8:13cv56; Brundo vs. All Saints, CTK, Fremont, St Bernard, St Patrick, St. Stanislaus,  
St Stephen, St. Thomas More, St Wenceslaus and Creighton Prep and  
8:18cv41; Brundo vs. Christ the King.

Please find a check enclosed [No. 4489], for copies of docket sheets as indicated, in the amount of \$15.50 made payable to U.S. District Court. The check is sent along with a copy of the letter as requested.

These documents will help more accurately cite what filings by Barbara Brundo became part of docket reports and which were received by the court, but not scanned as part of docket sheets.

Thank you.

Sincerely,

*Barbara Brundo*

Barbara Brundo, Ed.D. Pro Se

Cc: Michael E. Gans, Clerk of the Court  
Eighth Circuit Court of Appeals  
Thomas F. Eagleton U.S. Courthouse  
111 S. 10<sup>th</sup> Street, Suite 24.329  
St. Louis, MO 63102

RECEIVED

DEC 28 2018

CLERK  
U.S. DISTRICT COURT

*Copies of each docket sheet mailed to Barbara Brundo  
at the above listed address on 12/28/18.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA  
OFFICE OF THE CLERK**

**Denise M. Lucks**  
Clerk of Court

[www.ned.uscourts.gov](http://www.ned.uscourts.gov)

**Gabriela Acosta**  
Chief Deputy Clerk

December 17, 2018

Barbara Brundo  
9827 Bloomfield Drive  
Omaha, NE 68114

RE: 8:08cv477, 8:08cv209, 8:10cv56, 8:09cv213  
8:13cv156, and 8:18cv41

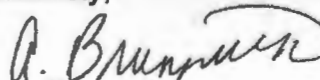
Dear Ms. Brundo:

In response to your letter received December 10, 2018, and pursuant to Rule 3(d) of the Federal Rules of Appellate Procedure, enclosed are your copies of the Notice of Appeal filed in 8:18cv41 and 8:13cv156. All filings contained within the docket sheets in the referenced cases were scanned and filed with the court. Below is the breakdown of the costs for your docket sheets. All copies are \$.50 per page.

8:08cv477, 6 pages through 7/28/10  
8:08cv209, 7 pages through 7/28/10  
8:10cv56, 3 pages through 7/19/10  
8:09cv213, 5 pages through 7/28/10  
8:13cv56, 8 pages through 10/15/14  
8:18cv41, 2 pages through 10/18/18.

Please submit a check or money order in the amount of \$15.50 made payable to U.S. District Court, along with a copy of the letter.

Sincerely,

  
Amy Brunswick  
Courtroom Deputy

Enclosures: 2

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111 South 18th Plaza, Suite 1152, Omaha, NE 68102-1322

Omaha: (402) 661-7350 | Fax: (402) 661-7387 | Toll Free: (866) 220-4381  
Lincoln: (402) 437-1900 | Fax: (402) 437-1911 | Toll Free: (866) 220-4379

Attention:

Rule 3(d) of the Federal Rules of Appellate Procedure requires the district court clerk to serve a pro se party with a copy of a notice of appeal when filed.

Thank you for your assistance.

Forms-Appeal-Letter\_Copy\_NOA\_Civil.docx  
Approved: 12/22/14

**BARBARA MRZLAK BRUNDO, ED.D.**  
**~~9827~~ BLOOMFIELD DRIVE**  
**OMAHA, NE 68114**  
**402 393 1310**  
**Fax 402 393 5546**  
**educatering@cox.net**

December 7, 2018

Denise M. Lucks  
Clerk of the Court  
United States Court  
District of Nebraska  
111 South 18<sup>th</sup> Plaza, Suite 1152  
Omaha, NE 68102-1322

FAX 402 661 7387

RE: Rule 3(d) of the Federal Rules of Appellate Procedure

Dear Ms. Lucks,

Previously the United States District Court, District of Nebraska, Office of the Clerk, provided accordingly: Rule 3(d) of the Federal Rules of Appellate Procedure requires the district court clerk to serve a pro se party with a copy of a notice of appeal when filed.

Last service of an Eighth Circuit Court of Notice of Appeal copy was believed to be March 2010. Please correct me if necessary.

1) **No. 9-2823 Barbara Mrzlak Brundo, Ed.D. v. Christ the King Church/School, et al, District Court No. 8:08cv477 –RGK** [March 19, 2010] Filing fee paid by Check No.3305 in the amount of \$455 dated on July 30, 2009, processed August 3, 2009. Court filing copy of Appeal received July 31, 2009.

2) **No. 09-3084 Barbara Brundo vs. Nebr Catholic Conference, District Court No. 8:08cv209-LSC** [March 19, 2010] Filing fee paid by Check No. 3306 in the amount of \$455, dated on or near August 28, 2009, processed Sept 8, 2009. Court filing copy of Appeal received with postmark September 1, 2009.

3) **No. 10-1328, Barbara Brundo v. Christ the King Church/School, District Court No. 8:10cv056-JFB** [March 19, 2010] Filing fee paid by Check No. 3369 in the amount of \$455, dated on or near February 6, 2010, processed Feb 10, 2010. Court filing copy of Appeal received with postmark February 10, 2010.



4) **No. 10-1712 Barbara Mrzlak Brundo v. Christ the King Church/School, et al, District Court No. 8:09cv213-LSC [April 1, 2010]** Filing fee paid by Check No. 3385 in the amount of \$455, dated March 22, 2010, processed March 24, 2010. Court filing copy of Appeal received with postmark March 23, 2010

5) **No 13-2205 Barbara Brundo vs. All Saints Catholic School, et al, Cases Consolidated: All Saints, Christ the King, Fremont School, St Bernard, St. Patrick, St. Stanislaus School, St. Stephen Church of Omaha, St. Thomas More, St. Wenceslaus Church of Omaha, Creighton Prep of Omaha District Court No. 8:13cv156 – LES [April 17 and May 7, 2013]** Filing fee paid by check No. 3694 dated May 16, 2013 in the amount of \$455, processed May 22, 2013.

Service by District Court Clerk copy of Notice of Appeal requested.

6) **18-1297 Barbara Brundo v. Christ the King Church, etc. District Court 8:18-cv-00041-RGK [Feb 1, 2018]** Filing fee paid by Check No. 4382 in the amount \$505 dated February 1, 2018, processed February 7, 2018.

Service by District Court Clerk copy of Notice of Appeal requested.

It appears that copies of the last two Notice of Appeal copies were not served as required to pro se. I also request a copy of the Docket Reports for each of the six case files noted. Please notify me of the cost for your preparation of such. Would you please note/identify papers presented to the Clerk of the Court not scanned as part of the filing.

Further, it was always my intention in each appeal to file excluding spouse: Rule 3(c)(2) Contents of the Notice of Appeal: (2) A pro se notice of appeal is considered filed on behalf of the signer and the signer's spouse and minor children (if they are parties), unless the notice clearly indicates otherwise.

Thank you.

Sincerely,

Barbara Brundo, Ed.D. Pro Se

Cc: Michael E. Gans, Clerk of the Court  
Eighth Circuit Court of Appeals  
Thomas F. Eagleton U.S. Courthouse  
111 S. 10<sup>th</sup> Street, Suite 24.329  
St. Louis, MO 63102

### **Rule 3. Appeal as of Right—How Taken**

#### **(a) Filing the Notice of Appeal.**

(1) An appeal permitted by law as of right from a district court to a court of appeals may be taken only by filing a notice of appeal with the district clerk within the time allowed by Rule 4. At the time of filing, the appellant must furnish the clerk with enough copies of the notice to enable the clerk to comply with Rule 3(d).

#### **(B) The Record on Appeal.**

(i) Within 14 days after filing the notice of appeal,

the appellant must file with the clerk possessing the record assembled in accordance with Bankruptcy Rule 8009—and serve on the appellee—a statement of the issues to be presented on appeal and a designation of the record to be certified and made available to the circuit clerk.

(ii) An appellee who believes that other parts of the record are necessary must, within 14 days after being served with the appellant's designation, file with the clerk and serve on the appellant a designation of additional parts to be included.

(iii) The record on appeal consists of:

- ☐ the redesignated record as provided above;
- ☐ the proceedings in the district court or bankruptcy appellate panel; and
- ☐ a certified copy of the docket entries prepared by the clerk under Rule 3(d).

**(2) A pro se notice of appeal is considered filed on behalf of the signer and the signer's spouse and minor children (if they are parties), unless the notice clearly indicates otherwise.**

#### **(d) Serving the Notice of Appeal.**

(1) The district clerk must serve notice of the filing of a notice of appeal by mailing a copy to each party's counsel of record—excluding the appellant's—or, if a party is proceeding pro se, to the party's last known address. When a defendant in a criminal case appeals, the clerk must also serve a copy of the notice of appeal on the defendant, either by personal service or by mail addressed to the defendant. The clerk must promptly send a copy of the notice of appeal and of the docket entries—and any later docket entries—to the clerk of the court of appeals named in the notice. The district clerk must note, on each copy, the date when the notice of appeal was filed.

### **Rule 12. Docketing the Appeal; Filing a Representation Statement; Filing the Record**

**(a) Docketing the Appeal.** Upon receiving the copy of the notice of appeal and the docket entries from the district clerk under Rule 3(d), the circuit clerk must docket the appeal under the title of the district-court action and must identify the appellant, adding the appellant's name if necessary.

Barbara Brundo, Ed.D.  
9827 Bloomfield Drive  
Omaha, NE 68114



7018 0680 0001 2393 0053



1023

68102-1322

U.S. POSTAGE PAID  
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68124  
DEC 26, 18  
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DEC 28 2018

CLERK  
U.S. DISTRICT COURT

Clerk of the Court  
US DISTRICT COURT - District of Nebraska  
111 South 18th Plaza, Suite 1152  
Omaha, NE 68102

Attention: Amy Brunswick, Courtroom Deputy

68102-132277

